

Boulder Police Department: Marijuana Inspection Report used for MC, OPC, MIP (updated: January 2014)

Date and Time of Inspection:		Name of Inspector(s):		Type of Inspection:	
Date and Time of Report:		Beverley Bookout		After the inspection copy of this report is sent to the City of Boulder's marijuana inspection/enforcement team as well as the business owner/manager of the location inspected App.#	
Business Name and Type:		Business Address:			
Owner/Manager Present:		Email Address:			
Checked	Item to be inspected/considered			Municipal Code	Comments
	License Required (Business has current marijuana business license and current sales and use tax license) (Renewal inspection)			6-14-3 (a)	Must be displayed in the business – see below
	Fixed Location Required (It shall be unlawful to operate a marijuana business outside of an enclosed building)			6-14-7 (a)	
	Onsite Use Prohibited (No marijuana shall be smoked, eaten or otherwise consumed or ingested within the medical marijuana business)			6-14-8 (a)	No use of marijuana is allowed onsite at any licensed location. Advise your patients/customers to leave the store and parking lot before using their purchase. Employees at all locations are also prohibited from using in the licensed area and can be ticketed if found smoking marijuana in close proximity of the licensed business (consumption in public prohibited 5-10-2).
	Age Limitations (No person under 18 years of age shall be on the licensed premises, unless the person is accompanied by a parent or guardian).			6-14-8 (b)	The foyer of a co-located dispensary is not part of the licensed area; however, if the dispensary is retail only then no one under 21 is allowed on the licensed

			<p>premise. Many managers have asked if it is legal for children to wait in the waiting room for the parents. As noted above -- the waiting room in retail dispensary is not licensed so it would be like any other waiting room. It is the discretion of the business on allowing children to be left unattended and is not recommended</p>
	<p>Display of Licenses Required (The name and contact information for the owner and any business manager, the marijuana business license, and the sales tax license shall be conspicuously posted in the business)</p>	6-14-8 (c)	<p>Once you receive your business license from City licensing please post them at the entrance of the OPC or MIP or in the reception area of the MC. Next to your license and tax information please post your emergency contact list and your security diagram. If your business has more than one entrance/exit post the above at each entrance/exit. Note "YOU ARE HERE" at each applicable location on the diagram. The emergency contact list is for officers to have someone respond in case of an emergency at your business and to know where they are if they enter a large grow with many entrances/exits.</p>
	<p>Business Conducted within Building (Any and all production, distribution, possession, storage, display, sales or other distribution shall occur only within the licensed premises and shall not be visible from the exterior of the building)</p>	6-14-8 (d)	<p>Windows where MJ is located or processed needs to be blacked out so MJ cannot be seen by a person on the exterior of the business looking in. This also pertains to medical dispensaries where patients ask dispensary staff to bring the medication to their vehicle parked in the parking lot because they do not want to come in. This type of service is not allowed and would be considered a violation of this ordinance.</p>
	<p>Owner or Business Manager Required on Premises (No licensed premises shall be managed by any person other than the licensee or the business manager listed on the application and shall be onsite at all times)</p>	6-14-8 (e)	<p>A manager is required (a person listed with the City's licensing division as a manager) to be present when the business</p>

	that the business is open)		is open and to be present during my inspections so they can answer any questions I might have regarding the day to day operation of the business. For co-located dispensaries there needs to be a manager onsite for both the retail and medical side because they are considered to different businesses. One manager cannot run back and forth.
	Hours of Operation (The marijuana business shall be closed to the public and no sale or other distribution of marijuana shall occur upon the licensed premises or via delivery from the licensed premises between the hours of 7pm and 8am)	6-14-8 (f)	Posted at entrance. Not required at OPC or MIP.
	Limitations on Inventory (The medical marijuana business shall not maintain any more marijuana than is permitted under applicable law for the patients which have designated the business as primary caregiver. More than 6 plants and 2 oz per patient is ok if accompanied by a legitimate recommendation from a physician) Retail – have no limit on inventory at grow or dispensary. At OPC any plant count over the number the licenses is for has to pay an additional \$1 per plant	6-14-8 (j)	I physically count the plants. If the number is more than allowed the manager can destroy in front of me (and on camera) to come into compliance. I add up the ounces on all of the finished product (flower) on hand and do the math to see if they have the allowed amount with patients listed. I also note the patients that have elevated plant count to allow for that number in the ounce and plant count. This does not apply to retail.
	Delivery to Patients (Medical Marijuana shall be packaged, sealed, and labeled, to include patient name. Deliverer shall have patient documentation according to ordinance. Maximum 8 oz for delivery in one trip. Can only deliver between 8am and 7pm)	6-14-8 (l)	Delivery to patients is allowed but there is additional paperwork that goes along with it. A doctor's note has to deem the patient as home bound before delivery can be made. There are additional documents that must be filled out during the phone order that must be kept with the delivery to the patient documenting the order.
	Delivery Between Marijuana Businesses (All marijuana-infused products are hand packaged, sealed, and labeled and the products stored in a closed container. All Marijuana in a usable form is packaged and stored in a closed container and labeled with the amount)	6-14-8 (m)	A manifest must be submitted by email to the City of Boulder (bouldermarijuanamanifest.com) documenting the shipment. The bounce

			back email the business gets when submitting the manifest is an acknowledgement of the shipment not an authorization for the shipment and should be presented if deliverer is contacted by police.
	Disposal of Marijuana and Marijuana Byproducts (All marijuana and any product containing a usable form of marijuana shall be disposed of in a manner that prevents any person or animal from being able to ingest any marijuana)	6-14-8 (n)	All byproduct or leaf/bud/stems need to be made unusable and unrecognizable before the product leaves the licensed premises. Most of the grow operations grind up the byproduct using a wood chipper or put green leafy marijuana in a large, homemade box, and run a lawnmower back and forth over the MJ then mix it with dirt. My test for compliance would be if I got a handful and was unable to tell what it was (no identifiable marijuana leaf or bud). Do not use compost dumpsters because Western Disposal does not want the business to mix the green matter with dirt. Not mixing byproduct with dirt and making it unusable and unrecognizable is a violation of city and state MJ ordinances. A licensed MJ businesses must comply with conditions of the licenses not of the vendor's requests.
	Records to be Maintained (Each licensee shall keep a complete set of books of account, invoices, copies of orders and sales, shipping instructions, bills of lading, weigh bills, correspondence, bank statements and all other records necessary to show transactions)	6-14-9(a)	Most of the records are kept on line and by State law the businesses are required to use the MED system called Metrc. A local jurisdiction has the authority to request copies of that paperwork and must be provided within a reasonable amount of time. For all manifests coming or going you must send a copy to me at marijuanamanifest@bouldercolorado.gov
	Disclosure of Records (By accepting the marijuana business license, the licensee is providing consent to disclose the information required by this	6-14-9(c)	Self-explanatory

	chapter, including information about patients and caregivers)		
	Consent to Inspection of Records (Acceptance of the business license constitutes consent by the licensee, owners, managers, and employees to permit the city manager to conduct routine inspections of the licensed business to ensure compliance with this chapter)	6-14-9 (e)	Self-explanatory
	Reporting of Source, Quantity and Sales (Records maintained include source and quantity of marijuana distributed, produced, or possessed)	6-14-9 (f)	Self-explanatory
	Cameras (The marijuana business shall install and use security cameras to monitor all areas of the licensed premises where persons may gain or attempt to gain access to marijuana or cash maintained by the marijuana business. Recordings shall be maintained for a minimum of 40 days in a secure off-site location)	6-14-10 (a)	City of Boulder requires cameras to be at all ingress and egress locations and anywhere there is marijuana and on the affixed safe. State requires a camera to be at POS and on the DVR and safe. Business is required to have an off-site recording and has to be at another location. Currently most use the Cloud for storage as are able to immediately access the footage if requested. I encourage business owners to do a diagnostic check of the system on a regular basis. Not being able to produce surveillance video when MED or I request it is a violation. If you find that you are having a problem with your system notify me immediately and let me know what steps you are taking to remedy the situation I can document in your file for future reference.
	Use of Safe for Storage (The marijuana business shall install and use a safe for overnight storage of any processed marijuana and cash on the premises with the safe being incorporated into the building structure or securely attached thereto. Bakery refrigerators or regular stand alone refrigerators/freezers are authorized as long as they have a hasp and lock and are securely attached to the structure).	6-14-10 (b)	If the business gets burglarized and the product (any marijuana flower, edibles or infused product) is put in the safe it cuts down on the amount of marijuana available to steal. So even at grows any marijuana that is considered “finished product” must go in the safe if left at the grow over night. Product that is curing does not need to be in the safe but once

			product is weighed and labeled for shipping it needs to be put in the safe.
	Alarm System (The business shall install and use a monitored alarm system)	6-14-10 (c)	On renewal I call the alarm company to make sure the business still has alarm coverage. If you change alarms company's please let me know so I can update your file.
	Report of Criminal Activity (Reports of all criminal activities or attempts thereof shall be reported to the Boulder Police Department within 12 hours of occurrence)	6-14-10 (d)	Example: if your dumpster is broken into you need to file a police report. The victim in this instance will be Western disposal due to the damage being done to their property. You would call the non-emergency number and make a report. We asked that you check your cameras to see if you can get a plate number or description of a person or vehicle and report that as well.
	Requirements for Public Health and Labeling: Medical Marijuana-Infused Products (The production of any medical marijuana-infused product shall be at a medical marijuana-infused product manufacturer that meets all requirements of a retail food establishment. The production of any product containing marijuana shall comply with all health and safety standards thereof. The licensee shall comply with all applicable state and local health regulations related to the production, preparation, labeling and sale of prepared food items.	6-14-11(a)	
	Labeling and Packaging Requirements (Must identify that marijuana is present in food item, amount of marijuana, intended for use solely by patient to whom it is sold, not for resale to a third person, include all ingredients and indicate potential food allergy ingredients, as well as the following Warning: THIS PRODUCT IS MANUFACTURED WITHOUT ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR USE OF THIS PRODUCT)	6-14-11 (b)	All exit packaging must be able to be resealed as child proof after the first time the package is opened. Most of this type of packaging comes packaged as required from the MIP per state law.
	Additional Requirements for Extracts (For products containing medical marijuana extracted from the plant, including, without limitation, tinctures, balms, oils, butters or candies, the label shall also include the name of the extraction fluid (butane, CO2 etc) used, the strength of the medical marijuana in the extraction fluid and the amount of the extract in the sealed product.	6-14-11 (c)	The requirement for type of extraction process used is for medical marijuana infused products label only. It is not a requirement for edibles sold at retail locations.

	Prohibited Acts (1-25) (i.e. patient cannot resell their marijuana, use marijuana in a public place, use marijuana, alcohol, or other controlled substance on premises etc.,	6-14-13 (1-25)	
Yes	Security plan is consistent with plan submitted during application process, including lighting configuration After license approval making changes to the building footprint must get licensing approval (floor plan, security plans etc). The request for change must be submitted to licensing, building and planning or both prior to any changes being made. Permits must be obtained for most changes. Check before going forward with changes to businesses after the initial license approval.	-----	Security plan is also posted at entrance and exits for officer information when they are called on an alarm. Some of the OPCs have thousands of square feet and have multiple rooms with exterior entrance/exits. The floor plan is also re-evaluated on the renewal inspection due to businesses making changes to structure w/o obtaining a permit from building and authorization from licensing

Additional Comments: The below paragraph was added at the request of the City Attorney.

This report is the determination of this department of the City of Boulder, and does not reflect a determination of any other department of the City Marijuana Licensing Authority. This report will be provided to the Marijuana Licensing Authority. Any violations identified in this report may result in the filing of criminal charges and may also result in the suspension, revocation, non-renewal, or denial of the City of Boulder Marijuana Business License for this business.

The municipal ordinances listed above in column three are for medical marijuana (6-14). Recreational marijuana code is written under 6-16 and in most case correspond with the medical code.